

Court of Appeals, State of Michigan

ORDER

Patrick McCarthy v Edward Sosnick

Docket No. 293482; 293483; 294383; 294385

LC No. 2008-094425-NO; 2008-089426-NO

Pat M. Donofrio
Presiding Judge

E. Thomas Fitzgerald

Henry William Saad
Judges

The motion to dismiss these consolidated appeals filed by defendants-appellees Wendy Potts, Kevin M. Oeffner, Richard M. Lynch and the Oakland Circuit Court and the motion to dismiss the appeal in docket no. 293483 filed by defendant-appellee Edward Sosnick are DENIED. Defendants have failed to demonstrate that plaintiff's failure to satisfy the condition of posting security for appellate costs ordered by the trial court is grounds for dismissal of the appeal. See *Denton v Winiemko*, 434 Mich 904 (1990); *Sanchez v Lagoudakus*, 450 Mich 864 (1995)(failure to post an appeal bond cannot be a condition of the right to appeal).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

DEC 23 2009

Date

Sandra Schultz Mengel
Chief Clerk